

LS 5-1592a

AM 20 1850

Mr. William F. Tompkins  
 Assistant Attorney General  
 Department of Justice  
 Washington 25, D. C.

Dear Mr. Tompkins:

I have received your letter of 15 July requesting our approval of the possible utilization of [redacted] as an expert witness in administrative hearings involving three organizations who are contesting their designation under the Federal Employee Security Program. Discussion between our representatives has indicated that [redacted] were he to testify, would be subject to cross-examination by the attorneys for the organizations concerned, and in fact in order to qualify [redacted] his experience and background as an employee of the Central Intelligence Agency would necessarily be a part of the direct examination.

In addition to the above-mentioned aspects of [redacted] appearance in the administrative hearings is the likelihood that the organizations concerned, through their attorneys, very probably will exhaust every legal remedy, including extensive proceedings in the courts. The possible publicity attendant upon these eventualities and the involvement of the Central Intelligence Agency are such that I do not believe the best interests of the Agency would be served by the appearance of [redacted] as a witness. [redacted]

I am fully appreciative of the necessity underlying your request for possible utilization of [redacted]. On the other hand I am sure that you appreciate the implications as far as the Central Intelligence Agency is concerned.

Sincerely,

Allen W. Dulles  
 Director

OGC:JSW:jeb  
 cc: /DCI (2) w/incoming letter  
 Director of Training  
 OGC w/cc of incoming letter

1/20/55: Original mailed by [redacted]

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MEMORANDUM FOR: THE D. ACTOR

Attached is a proposed polite 'NO' to  
Mr. Tompkins on his request for the appearance  
of [redacted] as a witness. I have  
discussed the matter with the Department of  
Justice's lawyers and learned that they had  
expected this [redacted]. Colonel Edwards of  
Security and [redacted] of Training have  
concurred in this reply.

Recommend signature.

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JOHN S. WARNER  
Acting General Counsel

20 July 1955  
(DATE)

FORM NO. 10.101 JAN 1952

(47)